

FORM PTO-1390

U.S. Department of Commerce Patent and Trademark Office

Attorney's Docket No.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

2444-101

U.S. Application No. (if known, see 37 CFR 1.5)

09/601444

INTERNATIONAL APPLICATION NO.

PCT/US98/24657

INTERNATIONAL FILING DATE

19 November 1998

PRIORITY DATE CLAIMED

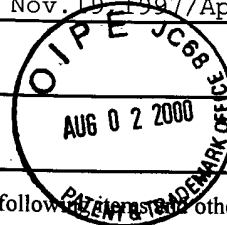
Nov. 19, 1997 / Apr. 27, 1998

TITLE OF INVENTION

TARGETED LIPOSOME GENE DELIVERY

APPLICANT(S) FOR DO/EO/US

Esther H. CHANG et al.

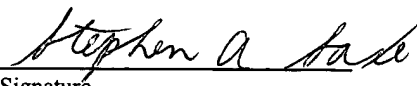


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following information and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 Petition to Revive Unintentionally Abandoned Application Under 37 CFR 1.137(b)
 Verified Statement Claiming Small Entity Status
 International Search Report with 6 references

U.S. APPLICATION NO. (If known, see 37 CFR 1.53) 09/601444		INTERNATIONAL APPLICATION NO. PCT/US98/24657		ATTORNEY DOCKET NO. 2444-101	
17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492)(a)(1)-(5): Search Report has been prepared by the EPO or JPO \$ 840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 690.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	80 - 20 =	60	X \$18.00	\$1,080.00	
Independent Claims	9 - 3 =	6	X \$78.00	\$468.00	
Multiple dependent claim(s) (if applicable)			+ \$260.00	\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$2,778.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$1,389.00	
SUBTOTAL =				\$1,389.00	
Processing fee of \$130.00 for furnishing the English translation later <input type="checkbox"/> 20 <input type="checkbox"/> 30 than months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$1,389.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$40.00	
TOTAL FEES ENCLOSED =				\$1,429.00	
				Amount to be refunded	\$
				charged	\$1,429.00
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 02-2135 in the amount of \$ <u>1,429.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Stephen A. Saxe Rothwell, Figg, Ernst & Manbeck 555 13th St., N.W. Washington, D.C. 20004 Phone: 202/783-6040			<div style="text-align: center;">  Signature </div> <div style="text-align: center;"> Stephen A. Saxe Name </div> <div style="text-align: center;"> <u>38,609</u> Registration Number </div>		

FEE TRANSMITTAL (Small Entity)		Complete if Known	
		Application Number	International Appln Serial No. PCT/US98/24657
		Filing Date	International Date 19 November 1998
		First Named Inventor	Esther H. CHANG et al.
		Group Art Unit	
		Examiner Name	
Total Amount of Payment	(\$2,034.00	Attorney Docket Number	2444-101

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Charge for the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance
2. ☐ Payment Enclosed: Check

FEE CALCULATION**1. FILING FEE**

Fee Description	Fee Code	Fee Paid
<input type="checkbox"/> Utility Filing Fee	201	345
<input type="checkbox"/> Design Filing Fee	206	155
<input type="checkbox"/> Plant Filing Fee	207	240
<input type="checkbox"/> Reissue Filing Fee	208	345
<input type="checkbox"/> Provisional Filing Fee	214	75
<input checked="" type="checkbox"/> Basic National Filing Fee 37 CFR 1.492(a)(1)-(5)		420
SUBTOTAL		\$420.00

2. CLAIMS

	Fee from				Fee Paid
	Extra	below			
Total Claims	80 - 20 =	60 x	\$ 9	=	540
Independent Claims	9 - 3 =	6 x	39	=	234
Multiple Dependent Claims		+	130	=	130

SUBTOTAL \$ 904.00**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

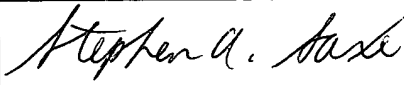
Fee Description	Fee Code	Fee Paid
<input checked="" type="checkbox"/> Surcharge - late filing fee or oath	205	65
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	227	25
<input type="checkbox"/> Non-English specification	139	130
<input type="checkbox"/> For filing a request for reexamination	147	2,520
<input type="checkbox"/> Requesting publication of SIR prior to Examiner action	112	920
<input type="checkbox"/> Requesting publication of SIR after Examiner action	113	1,840*
<input type="checkbox"/> Extension for reply within first month	215	55
<input type="checkbox"/> Extension for reply within second month	216	190
<input type="checkbox"/> Extension for reply within third month	217	435
<input type="checkbox"/> Extension for reply within fourth month	218	680
<input type="checkbox"/> Extension for reply within fifth month	228	925
<input type="checkbox"/> Notice of Appeal	219	150
<input type="checkbox"/> Filing a brief in support of an appeal	220	150
<input type="checkbox"/> Request for Oral Hearing	221	130
<input type="checkbox"/> Petition to institute a public use proceeding	138	1,510
<input type="checkbox"/> Petition to revive -unavoidable	240	55
<input checked="" type="checkbox"/> Petition to revive - unintentional	241	605
<input type="checkbox"/> Utility issue fee (or reissue)	242	605
<input type="checkbox"/> Design issue fee	243	215
<input type="checkbox"/> Plant issue fee	244	290
<input type="checkbox"/> Petitions to the Commissioner	122	130
<input type="checkbox"/> Petitions related to provisional applications	123	50
<input type="checkbox"/> Submission of Information Disclosure Statement	126	240
<input checked="" type="checkbox"/> Recording each patent assignment per property (times number of properties)	581	40
<input type="checkbox"/> Filing a submission after final rejection (37 CFR .129(a))	246	345
<input type="checkbox"/> For each additional invention to be examined (37 CFR 1.129(b))	249	345

Other fee (specify)

☐

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$710.00

SUBMITTED BY				Complete (if applicable)	
NAME & REG. NUMBER	Stephen A. Saxe, Ph.D., Reg. No. 38,609				
SIGNATURE		DATE	02 August 2000	DEPOSIT ACCOUNT USER ID	02-2135